

ROUNDTABLE/WORKING MEETING  
TO DISCUSS CITY WIDE PLANNING, INCLUDING DISCUSSIONS WITH THE PLANNING BOARD  
MONDAY, JANUARY 12, 2015  
AT HENRIETTA ATTLES MEETING ROOM  
459 BROADWAY

Time: 5:43 p.m.

Attendees: Mayor Maher, Vice Mayor Benzan, Councillor Carlone, Councillor Cheung, Councillor Kelley, Councillor Mazen, Councillor McGovern, Councillor Simmons, Councillor Toomey, Richard Rossi, City Manager, Lisa Peterson Deputy City Manager, Lee Gianetti, Director of Communications and Community Relations, Taha Jennings, Assistant to the City Manager, Brian Murphy, Assistant City Manager for Community Development, Iram Farooq, Acting Deputy Director, Liza Paden, Project Planner, Stuart Dash, Director of Community Planning, Jeff Roberts, Project Planner, Community Development Department (CDD), Nancy Glowa, City Solicitor, Vali Buland, First Assistant City Solicitor, Sandra Albano, Executive Assistant to the City Council, Mike Connolly, Aide to Councillor Carlone, Donna P. Lopez, City Clerk, and Paula M. Crane, Deputy City Clerk.

Planning Board Members present were: Catherine Preston Connolly, Vice Chair, Louis J. Bacci, Jr., Steven A. Cohen, Hugh Russell, Tom Sieniewicz and Associate member Ahmed Nur.

Other Attendees: Charles Teague, Tom Stohlman, Kim Courtney, Jan Devereaux, John Hawkinson, Lee Farris, Hasson Rashid, Robert Winters, Sam Seidel, Esther Hanig, Young Kim, Carol O'Hare and Bob Winters.

Mayor Maher welcomed the Planning Board members and members of the public. He turned to City Manager Richard Rossi for opening comments.

Mr. Rossi thanked the many members of the community who have expressed thoughts in establishing a better working relationship in the community. He gave a brief overview of his memo to the City Council dated January 9, 2015 (**ATTACHMENT A**). He stated that the City held a series of focus group discussions with various stakeholders involved in the planning process. He stated that the sessions, which followed an evening of public comment held at the Planning Board, enabled people to come together in an informal environment and cooperatively work together to discuss ways to improve the Planning Board process. He stated that initially, five focus groups were convened and that each group represented different interest groups involved in the Special Permit process: two residents and neighbor groups, one developer and lawyers group, one architects and other consultants group and one previous Planning Board member and previous staff group. He stated that these sessions resulted in the collection of a diverse range of ideas for improvement. He stated that following the five focus group sessions along

with suggestions made at the Planning Board and in written comment afterwards was presented to a joint session held on December 18, 2014. He noted that the purpose of this session was to process the initial broad-based ideas and bring together participants from all groups for more critical discussion and prioritization. He stated that this meeting resulted in general agreement on many of the key issues affecting the Planning Board process as well as a detailed list of ideas and possible changes to the process. He stated that the Planning Board at its January 6, 2015 hearing considered the focus group suggestions and provided further feedback to CDD staff on many of the ideas presents. He stated the identification of six broad goals that were broadly agreed to by all focus group participants: Improve website design, improve meeting logistics, improve public notification and access to information, improve understanding at all phases of the process, strengthen the role of the Community Development Department and establish an early community engagement process. Mr. Rossi then introduced Stuart Dash.

Stuart Dash gave an overview of the report from focus groups regarding ways to improve the Planning Board process. He noted that the Summary of the Focus Group Process (**ATTACHMENT B**) is a more detailed document with recommendations and timeframe for implementation.

Councillor Carlone stated that in the past people have looked up the agenda of the Planning Board and they are surprised when attending the meeting that other projects are being discussed. He stated that he understands that the agenda can sometimes change after posting but noted that it would be great to update the agenda. He stated that as it relates to special criteria, the City Council is not included in those discussions yet the City Council is the entity that approves it. He suggested that the City Council get involved early in this process.

Councillor McGovern stated that he hopes people are pleased with the progress that has been made and that although it can feel slow, a lot of progress has been made. He stated his agreement with Councillor Carlone regarding special criteria. He stated that the City Council should be part of the development of that criterion. He stated that a Special Permit criterion is the foundation to all of the discussions. He stated that while the Teague Petition and word changes are important to consider, there will be continuing issues until the issue of special criteria is dealt with. He stated that the main priority for him next to special criteria is the community input piece. He stated that he does not believe that one meeting is enough with the community. He stated that with busy schedules, having only one opportunity to attend a meeting is difficult. He stated that he agrees that the developer should have to report on the community meetings. Councillor McGovern inquired as to what the CDD considers an abutter. Stuart Dash responded that this may not be the same for each project. Councillor McGovern stated that when there is more flexibility there is more opportunity for people to do what you don't want them to do. He stated that we should require as broad an outreach as possible. He noted that projects impact more people than just the people who live on the street. He added that some developers really take the time to reach out to neighbors while some do not. He stated that he would like to see 2-3 community meetings for a project and would like more people invited to these meetings.

Councillor Mazen stated as it relates to Summary of Focus Group Process he does not understand the holdup in implementing some of the recommendations. He noted that some of the recommendations are seemingly easy to implement and that many of items have very easy answers. He stated that the answer to him is to just do it. He stated that the best example is the early engagement and the Planning Board criteria. He asked the members of the Planning Board if they consider a Special Permit that comes before them contextually with other projects going on or are they done case by case. Catherine Preston Connolly responded that in terms of a Special Permit, it is the charge of the Planning Board to

treat every permit fairly. The Planning Board will apply all of the Special Permit criteria to each project individually. She stated that in terms of things such as height and bulk where impact is difficult to measure, they are looking at projects the same. Getting the rules right is key. She stated that there is an important nexus between the Planning Board's job of looking forward and the City Council's job of legislating that. Councillor Mazen asked of the members of the Planning Board if it is an art or a science that is used when looking at a project. Catherine Preston Connolly stated that she is attorney and when she looks at a project she asks herself if it meets the criteria. She noted that when the Planning Board is deliberating they know the criteria well but stated that on a more difficult decision, the Board will go point by point. They do not discuss that out loud with every project that comes before them. She stated that when it is a smaller project that seems to have consensus among the Planning Board, they do not necessarily flesh out issues in the public or go through the project point by point. She stated that there is a long list of criteria in place to be as transparent as they should be with the public. Councillor Mazen stated his observation that it is in the arts side that we can extract great value. He stated that it seems that the Planning Board can extract some value that would allow public amenities to materialize. He stated his concern for missed opportunities and noted that it is important that the city does a better job of leaving less on the table, whether creatively or dogmatically and directly.

Councillor Cheung thanked the Planning Board for its work. He stated that it is fascinating the line of inquiry and depth of consideration that goes into everything that goes before the board. He stated that he is pleased with the changes regarding transparency. He stated that he in the past he forwarded the idea of an ombudsman for residents to the City Council. He stated that there may be a benefit to having an ombudsman to help advocate for the residents. As it relates to labor, Councillor Cheung stated that in the City of Cambridge you can build a terrible building and it will still sell because the nature of the market. He stated that he is an advocate for union construction and that it is important that everything that is being constructed is being constructed to the best possible standard. He stated that in speaking with realtors, there is a fine line between someone coming in to flip a project and somebody who decides that they want to do an expansion on a house to remain part of the Cambridge community. He stated that it is difficult to tell the difference between the two. He questioned how the City can make it easier for people who want to live in this community.

Hugh Russell stated that this is a very complicated system and there are a lot of players. He stated that the Board of Zoning Appeal, the Planning Board and the Historical Department all issue permits. He stated that these boards talk to each other in a structured fashion. That is just a piece of it. He stated that City departments have major responsibilities. He stated that the Planning Board works cooperatively with the City Council on rezoning. He stated that there is not enough opportunity for interested citizens to participate. He stated that we have to keep minds open broadly to the real challenge. In response to Councillor Cheung's suggestion of an ombudsman, Mr. Russell stated his belief that this is the job of the CDD. He stated that the CDD is not here for the developers, but for the City. As it relates to the changing of the wording from "will normally" to "may," Mr. Russell stated that the language in the state statute uses "may" once. He stated that when the Planning Board asked the City Solicitor they were told that they have to look at the way the courts view the language. He stated that if you change the wording it is misleading because the standard the Court enforces is closer to the language in the City's ordinance. As it relates to union construction, Mr. Russell stated that it is necessary to have a capable contractor. He noted that some contractors have agreements with labor unions while some do not. He commented that it is hard for him to say that the only people who know how to build a building is a union contractor. He added that it is beyond the Planning Board criteria for them to make decisions on that basis. Councillor Cheung asked what the impact would be on the

Planning Board if they were to make union workers a criterion. Mr. Russell responded that he does not believe that this is a criterion that the Planning Board can use.

Ahmed Nur stated that when a developer comes before the Planning Board, the board looks at the laws and ensures that abutters are aware. He stated that abutter to him has different meanings depending on the project that is being done. He stated his belief that an abutter is someone who is affected by a building or project.

Vice Mayor Benzan asked how the Planning Board would apply “lessons learned” to the Normandy Twining project. He stated that when thinking about a project such as this, does the Planning Board take into consideration the other projects proposed in and around Central Square and the fact that Central Square does not have a lot of venues or outdoor spaces. Catherine Preston Connolly stated that the Planning Board cannot talk about specific projects. She stated that for legal standing and notification a purpose, an abutter is someone whose property is directly adjacent and within 300 feet. That is the only thing that is an abutter. She stated that when the Planning Board hears from people who are not direct abutters, they will take this into account in a different way. She stated that they are the Planning Board for the whole city and not just the person across the street from a project.

Vice Mayor Benzan then moved to the topic of the Teague petition to change the wording from “will normally” to “may.” He stated that the presumption is that when a project comes before the Planning Board it will be approved. He asked if the Planning Board feels that it has more discretion to deny an applicant of a Special Permit if the language is changed. Catherine Preston Connolly stated that she feels that it does not make a difference. Vice Mayor Benzan asked if there are items that are most important on the criteria list. Catherine Preston Connolly responded that this will be figured out by way of the Master Planning process. Mr. Russell stated that the ordinance has 150 pages around PUD Districts and Special Districts. He noted that each one has specific criteria. Steven Cohen stated that as it relates to changing the language from “will normally” to “may,” an applicant starts the process by reading the Zoning Code. The code is very specific about what criteria must be met. He stated that the applicant is highly motivated to get their project approved. He stated that the applicant then meets with staff at CDD who tells the applicant what the code is and offers predictions regarding what the Planning Board will look for. He noted that by the time an application gets to the Planning Board, the proposal incorporates many of the goals of the city. He commented that the applicant knows that they have to satisfy the Planning Board. He stated that over a series of hearings changes are made to satisfy the Planning Board. He stated that applications will be approved but only when all demands have been satisfied.

Councillor Kelley stated that once you open up a site you might encounter things that need some change but too often, neighbors are left wondering where they missed communication. In addition, he stated that although the City Council sets the zoning, it is problematic when parking is put into a project and people are not using the allotted parking which then becomes a false promise to neighbors of the project. He stated that this is an issue that needs to be fixed.

In response to a question from Vice Mayor Benzan regarding what guides the Planning Board in Central Square, Tom Sieniewicz stated that the Planning Board is trying to make a beautiful city that involves a focus on wellbeing of the citizens, sustainability and social equity. He stated that if we re-focus and go back to the Special Permit and made them more “Cambridge” we could begin to shape that space. He commented that the Planning Board considers itself the guardians of the space that is not the buildings. The Planning Board guards those public spaces and is the voice for the urban part of Cambridge. He

stated that through the Master Planning process, the Planning Board can begin to identify things that the city wants collectively. He said that this takes vision and the vision cannot just be affordable housing. He stated that he is involved with the Planning Board because he finds power in public meetings. He stated that there are many people who do not attend public meetings and that discourse can happen digitally. He stated that written comments could allow for a larger volume of input.

Councillor McGovern stated that he would be more upset if he felt that the Planning Board was saying yes to projects that they did not think were good projects. He stated that part of the underlying piece is that some buildings are not the most attractive buildings. He asked how much involvement the Planning Board has in the quality of the construction, the look of building and how it fits in the city. He commented that he would like the Planning Board to take as much flexibility and power to have more say in what the buildings look like. He asked if it is possible for the Planning Board to have that flexibility. Tom Sieniewicz responded that when talking about esthetics, they try to look at details in terms of ways in which they affect the public interest. Steve Cohen stated that the Planning Board is trying to make buildings the best they can possibly be. He noted that the Planning Board cannot design them on behalf of the applicant. He affirmed that the Planning Board is frequently critiquing and giving feedback in terms of criteria but that ultimately, it is up to the applicant. He stated that there is a fine line between giving good design review and insisting that it be designed how the Planning Board would like.

Councillor Carlone stated that it seems to him that “You get what you ask for” and we don’t ask enough. He stated that the guidelines have gotten weaker. He stated that most materials that we see today are concrete. He said that the City doesn’t ask enough and we are in the position to ask for anything reasonable. He stated the importance of having buildings that work together. Councillor Carlone stated that a Master Plan has to be translated into an urban design vision. This is absolutely the goal. He stated that open space has to be in the guidelines. He stated that the need for analysis of the site and investigating the opportunities and constraints. He stated that there has to be a detailed urban design write-up before the City Council walks into the room which doesn’t happen very often. This is key. He stated that when we set urban design or zoning precedent, he shivers. He stated that Master Plan guidelines get thrown out over time and noted the need to keep a record of what the Planning Board feels is important and make sure it happens. He stated that CambridgePark Drive is a disaster, in his opinion. He stated that the Community Development Department has to stand up more and say what they believe about individual projects.

Vice Mayor Benzan stated that he wants to ensure that Cambridge is a beautiful city. He stated that as he walks through Central Square on a daily basis he asks himself what can be done to bring it back to life. He stated that when walking on Main Street, the ground floor retail does not engage the public. There is little housing. He stated that there are a lot of families that were able to capitalize from that growth. He stated that as we think about these projects, we must think about the economic impact on our families. He stated that we have to think about creating more housing. He said that as we think about Central Square, Kendall Square and Alewife, we need to think about maximizing affordable and middle income housing for families. He stated that many projects that the Planning Board reviews come before the Ordinance Committee. He asked about the roles of the Co-Chairs of the Ordinance Committee.

Catherine Preston Connolly stated that the cases before the Ordinance Committee are typically ones that require rezoning. Those are the ones where the City Council has the greatest role to play. She stated that in a situation where the Ordinance Committee is looking at rezoning, its role is to obtain the

best deal for the city. She noted that this is different than the tools available to the Planning Board. She stated that the State has created this parallel half so they have the political guidance of the City Council and the appointed professional body of the Planning Board. She stated that both the less political appointed body and the City Council are important in any rezoning.

Steve Cohen stated that the City Council should not be looking at individual projects. He said that the City Council should focus on the zoning. He noted that every element is in the hands of the City Council. He added that all of the high level issues that are being discussed are under the control of the City Council. He stated that once the City Council passes zoning regulations, it is the job of the Planning Board to apply them to the individual cases. Hugh Russell added that in the process of rezoning, the City Council helps identify areas that need work.

Councillor Toomey stated that Planning Board has taken direction from the previous City Councils. He stated that he feels that the Planning Board is being attacked unfairly. He stated that the Planning Board took the direction that was asked of them. He stated that in terms of an ombudsman, he hopes that the City Council does not fund anything like this. He stated that he would not be in favor of this. He commented that if people want to be engaged, there are plenty of opportunities to do so. He stated that organizations such as the East Cambridge Planning Team and the North Cambridge Stabilization Committee are good examples of organizations that put in the work and take the time to be proactive. He stated that he feels that the majority of the pushback as it relates to the Planning Board is a result of one neighborhood.

Councillor Cheung stated that the neighbors and residents in East Cambridge have been a model of community participation. He questioned if it is fair to expect the same level of dedication from other areas. He stated that it is hard to hold other people to that standard. He believes that an ombudsman would be useful. He stated that he sees the Planning Board as an arbitrator on issues. He stated that it would be great to have a commission between the Planning Board, the Board of Zoning Appeal and the City Council to look at ordinances in order to allow for greater time for the Planning Board to look at important issues.

Hugh Russell stated that he can think of one project where it was clear that the impacts were very substantial. That particular piece of the ordinance is something that should be looked at. He noted that it has been difficult for the neighborhood to manage post-permitting.

Steve Cohen asked why there is a fog in the discussion. He stated that there is some sense that the Planning Board is doing its job. He stated that he thinks that there are issues of process that can be improved but when it comes to substance and the actual decisions they make, for the most part the Planning Board members are quite comfortable with the decisions that they have made and the outcomes. He stated that the Planning Board cannot really find a direction to go in without greater specificity of what projects are found to be unsatisfactory. He noted that specificity may give the Planning Board something more concrete to work with.

Councillor Mazen stated that there are so many buildings in the flood plain that don't or can't have ground floor retail. He stated that in that way, the Planning Board has more negotiating power. He stated that the word "may" makes the whole situation better. He stated that he would love to have a written opinion on the matter of "will normally" vs. "may" because it is confusing for him to know that a case exists and also know the Planning Board's current opinion on the matter. Mr. Rossi stated that this could be done if it is the will of the City Council.

Councillor Mazen asked the Planning Board's perspective on CambridgePark Drive. He asked if there were deviations from the plans and how things go off track. Catherine Preston Connolly responded that this needs reflection if things go off track. Councillor Mazen asked about the footbridge over the Fitchburg line, how does one secure something like that? Catherine Preston Connolly stated that there are special conditions, financial and landing criteria for the footbridge. The Planning Board has been lacking something on the other side of the tracks. Mayor Maher stated that there are some private developers that want to participate in this area. This is an ongoing dialogue.

Iram Farooq added that things can go off track a little bit in the expanse of the planning itself and things come to light that were not thought about.

Mayor Maher stated that the Norris Street project is an example that can be looked at wherein the outcome was different. It is a "lesson learned." He stated that this project was a re-use of a very old Catholic school building and was an example of working with an untrustworthy developer who did not do what was thought to be done. Mayor Maher stated that the Master Plan is being done currently. As it relates to the rezoning of the area around Blackstone Street, Mayor Maher stated that what resulted from that was not anything that the university wanted but was something that was acceptable to the neighborhood. He stated that the next 10 years there will be terrific evolution in Kendall Square. He stated that this is a good example of the City's ability to listen. He thanked the members of the Planning Board for their service to the city.

Councillor Simmons asked where we go from there. She asked what the next step is. Mayor Maher stated that he does not have the answer at the moment. He stated that this conversation is a worthy conversation and he will look to the City Manager and Brian Murphy as to how this will come together.

Mr. Rossi stated that there are several pages of recommendations in varying degrees. That informs the work plan for the CDD. He stated that this evening's conversation has put life into an issue. Councillor Simmons asked if questions should be put in writing for response. Mr. Rossi responded in the affirmative.

Mr. Bacci stated that the word "we" is used a lot. He asked what the role of the Planning Board is in the Master Planning process. Brian Murphy stated that there will be a greater emphasis on community engagement, outreach and education. He noted that for this to be a successful process, we have to put an unusually high emphasis on outreach. It has to be a broad plan. It has to recognize the unique time and place we find ourselves in. Mr. Rossi stated that this is the beginning of the Planning Board saying to the City Council that it needs to articulate better what it wants and the Planning Board needs from the administration.

Councillor Cheung stated that the criterion needs to be moved up in terms of the timeline.

ADJOURNMENT:           On motion of Councillor Simmons the meeting adjourned at 8:12 p.m.